

REMARKS

Claims 1 and 5-11 are pending in this application. By this Amendment, non-elected claims 2-4 and 12-33 are canceled without prejudice to, or disclaimer of, the subject matter recited therein. Claim 1 is amended.

In section 3 on pages 2-3, the Office Action rejects claims under 35 U.S.C. §102(e) as being anticipated by Murade et al., U.S. Patent No. 6,433,841 (hereinafter "Murade"). This rejection indicates that it applies to claims 5-9 and 11-12. The Applicant believes that this rejection also applies to claim 1, because the Office Action Summary indicates that claim 1 is rejected, the Office Action does not indicate that claim 1 is allowable, and the rejection described in section 3 appears to also pertain to claim 1. This rejection is respectfully traversed.

Claim 1 is amended to specify that one-half of a thickness of the electro-optical material between the first substrate and the second substrate, except the step portion, is less than a spacing between adjacent pixel electrodes, and that the sum of 300nm and a thickness of the electro-optical material at the step portion between the first substrate and the second substrate is less than or equal to the thickness of the electro-optical material between the first substrate and the second substrate, except the step portion. Support for the subject matter of the amendment to claim 1 can be found in the written description beginning on page 21 at line 3, and continuing to page 22 at line 11, with reference to Fig. 5.

Applicant respectfully asserts that Murade does not disclose the subject matter added to claim 1. Therefore, it is respectfully submitted that Murade does not anticipate claim 1 under 35 U.S.C. §102(e).

Claims 5-9 and 11-12 are allowable based at least on their dependence from claim 1.

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For at least the foregoing reasons, it is respectfully requested that the rejection of claims 1, 5-9 and 11-12 under 35 U.S.C. §102(e) as being anticipated by Murade be withdrawn.

In section 5, on page 4, the Office Action rejects claim 10 under 35 U.S.C. §103(a) as being unpatentable over Murade as applied to claims 1, 5-9 and 11-12. This rejection is respectfully traversed.

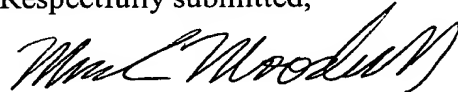
Claim 10 is allowable based on its dependence from claim 1 for the reasons stated above in connection with the rejection of claim 1.

For at least the foregoing reason, it is respectfully requested that the rejection of claim 10 under 35 U.S.C. §103(a) as being unpatentable over Murade be withdrawn.

In view of the foregoing amendments and remarks, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1 and 5-11 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:MRW/ksz
Date: March 5, 2004

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